

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Southern Division)

MARIA N. ABREU,
Plaintiff,

v.

COUNTRYWIDE BANK, FSB, et al.,
Defendants.

Civil Action No. 8:08-cv-02635-RWT

* * * * *

**OPPOSITION TO PLAINTIFF'S MOTION THAT JUDICIAL NOTICE
BE TAKEN OF FREDDIE MAC SELLER/SERVICER GUIDE**

Defendants Countywide Bank, FSB, Countrywide Home Loans, Inc., and Bank of America Corporation (collectively, "Defendants"), by their attorneys, hereby oppose Plaintiff's Motion that Judicial Notice be Taken of Freddie Mac Seller/Service Guide (Document No. 24), for the following reasons:

(1) The Freddie Mac Seller/Service Guide is irrelevant to the facts of this case, and has no probative value with regard to any pending motion, including Defendants' Motion to Dismiss, or in the Alternative for Summary Judgment.

(2) Furthermore, the guide is hearsay, and is barred by Federal Rule of Evidence 802.

(3) In further opposition, Defendants incorporate the arguments contained in the Reply of Countrywide Bank, FSB, Countrywide Home Loans, Inc., and Bank of America Corporation in support of their Motion to Dismiss or in the Alternative for Summary Judgment, at Footnote 2.

WHEREFORE, for the reasons stated herein, Defendants request that the Court deny Plaintiff's Motion that Judicial Notice be taken of Freddie Mac Seller/Service Guide (Document No. 24).

Respectfully submitted,

/s/ Glenn A. Cline

Glenn A. Cline (Fed. Bar No. 26672)
Charles S. Hirsch (Fed. Bar No. 06605)
Ballard Spahr Andrews & Ingersoll, LLP
300 E. Lombard Street, 18th floor
Baltimore, Maryland 21202
Phone: 410-528-5549
Fax: 410-528-5650

Attorney for Defendants
Countrywide Bank, FSB,
Countrywide Home Loans, Inc. and
Bank of America Corporation

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of December, 2008 a copy of the foregoing Opposition to Plaintiff's Motion that Judicial Notice be Taken of Freddie Mac Seller/Service Guide was electronically filed and delivered to:

Mary E. Goulet
Whitham, Curtis, Christofferson & Cook, P.C.
11491 Sunset Hills Road, Suite 340
Reston, Virginia 20190

Carl S. Nadler, Esquire
Arnold & Porter LLP
555 Twelfth Street, NW
Washington, DC 20004-1206

/s/ Glenn A. Cline
Glenn A. Cline